

Senate Bill 187

By: Senators Hamrick of the 30th, Smith of the 52nd and Mullis of the 53rd

AS PASSED

A BILL TO BE ENTITLED
AN ACT

1 To enact the "Terrorism Prevention Act of 2003"; to amend Title 35 of the Official Code of
2 Georgia Annotated, relating to law enforcement officers and agencies, and Title 45 of the
3 Official Code of Georgia Annotated, relating to public officers and employees, so as to
4 change a member on the Criminal Justice Coordinating Council from the chairman of the
5 Georgia Organized Crime Prevention Council to the director of homeland security; to
6 discontinue the Organized Crime Prevention Council; to provide for an Airport
7 Anti-Terrorism Training Committee and the training of airport managers; to delete provisions
8 for certain insurance for law enforcement personnel participating in programs of the
9 abolished council; to provide an effective date; to repeal conflicting laws; and for other
10 purposes.

11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

12 style="text-align:center">**SECTION 1.**

13 This Act shall be known and may be cited as the "Terrorism Prevention Act of 2003."

14 style="text-align:center">**SECTION 2.**

15 Title 35 of the Official Code of Georgia Annotated, relating to law enforcement officers and
16 agencies, is amended by striking paragraph (1) of subsection (a) of Code Section 35-6A-3,
17 relating to membership and vacancies on the Criminal Justice Coordinating Council, and
18 inserting in lieu thereof the following:

19 "(1) The ~~chairman~~ chairperson of the Georgia Peace Officer Standards and Training
20 Council, the ~~chairman of the Georgia Organized Crime Prevention Council~~ director of
21 homeland security, the ~~chairman~~ chairperson of the Judicial Council of Georgia, the
22 ~~chairman~~ chairperson of the Prosecuting Attorneys' Council of the State of Georgia, the
23 commissioner of corrections, the ~~chairman~~ chairperson of the Board of Corrections, the
24 ~~vice-chairman~~ vice chairperson of the Board of Public Safety, the chairman of the State
25 Board of Pardons and Paroles, the State School Superintendent, the commissioner of

1 community affairs, the president of the Council of Juvenile Court Judges, the director of
2 the Georgia Indigent Defense Council, the ~~chairman~~ chairperson of the Children and
3 Youth Coordinating Council, and the commissioner of juvenile justice or their designees
4 shall be ex officio members of the council, as full voting members of the council by
5 reason of their office; and”.

6 SECTION 3.

7 Said title is further amended by repealing and reserving Chapter 7, relating to the Organized
8 Crime Prevention Council.

9 SECTION 3.1.

10 Said title is further amended by adding at the end of Chapter 1 a new Code section to read
11 as follows:

12 "35-1-14.

13 (a) As used in this Code section, the term:

14 (1) 'Airport Anti-Terrorism Training Committee' means a committee composed of three
15 members: one appointed by and to serve at the pleasure of the commissioner of
16 transportation; one appointed by and to serve at the pleasure of the State Board of
17 Technical and Adult Education; and one appointed by and to serve at the pleasure of the
18 commissioner of public safety.

19 (2) 'Airport manager' means, with respect to each airport located in this state, the person
20 who serves as manager, serves as general manager, or otherwise serves as the chief
21 administrative officer of such airport. If for any airport, there is more than one person
22 who may fit such definition, the local government, authority, or company operating such
23 airport shall designate one such person as its airport manager for purposes of this Code
24 section.

25 (b) The Airport Anti-Terrorism Training Committee shall establish and maintain an annual
26 training program for persons who serve as airport managers. It shall be unlawful for any
27 person to serve as an airport manager in this state unless such person is in compliance with
28 rules and regulations of the Airport Anti-Terrorism Training Committee implementing this
29 Code section. Such rules and regulations:

30 (1) Shall require each airport manager in this state to complete 14 hours of annual
31 training, with the initial annual training required no later than calendar year 2003;

32 (2) Shall establish the curriculum of such annual training;

33 (3) May provide for exemption from or delay of the annual training otherwise required
34 in cases of providential cause or hardship; and

1 (4) May provide for exemption from the annual training otherwise required for airport
2 managers who demonstrate that they have or will otherwise obtain the competencies
3 taught in the annual training curriculum.

4 (c) The Airport Anti-Terrorism Training Committee shall by agreement or contract arrange
5 for the annual training required under this Code section to be administered by the Georgia
6 Aviation Technical College under the jurisdiction of the State Board of Technical and
7 Adult Education.

8 (d) The tuition costs of providing such training may be paid in whole or in part from funds
9 appropriated or otherwise available to any department represented on the Airport
10 Anti-Terrorism Training Committee or may be paid in whole or in part by the airport
11 managers being trained or any combination thereof, as established by the Airport
12 Anti-Terrorism Training Committee."

13 SECTION 4.

14 Title 45 of the Official Code of Georgia Annotated, relating to public officers and employees,
15 is amended by striking Code Section 45-9-3, relating to law enforcement personnel serving
16 on temporary assignment, and inserting in lieu thereof the following:

17 "45-9-3.

18 ~~Law enforcement personnel who are participants in any program coordinated and~~
19 ~~administered by the Georgia Organized Crime Prevention Council, which program~~
20 ~~provides for the temporary assignment or loan of local law enforcement personnel to other~~
21 ~~local law enforcement agencies for the purpose of such law enforcement officers serving~~
22 ~~as undercover agents in criminal investigations or in any other manner or capacity assisting~~
23 ~~such local agencies in criminal investigations, may be provided protection against personal~~
24 ~~liability for damages sustained by third parties and arising out of the performance of such~~
25 ~~law enforcement personnel's duties while serving on such temporary assignment or loan.~~

26 The commissioner of administrative services shall prescribe the terms and conditions under
27 which ~~such personnel may be covered by~~ any liability insurance policy or contract of
28 indemnity or other like or similar programs administered by the commissioner pursuant to
29 this article ~~to provide such protection, provided that~~ shall be made available to persons
30 employed by the district attorneys of the state, irrespective of the source of the funds used
31 to pay such persons; and such persons shall be allowed to purchase such policies of
32 liability insurance and contracts of indemnity insurance and for the purpose of this article
33 shall be considered to be state employees."

34 SECTION 5.

1 This Act shall become effective upon its approval by the Governor or upon its becoming law
2 without such approval.

3

SECTION 6.

4 All laws and parts of laws in conflict with this Act are repealed.